

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

TIMOTHY L. NORDSTROM,

Plaintiff,

vs.

CITY OF WAHOO, a Political Subdivision of the State of Nebraska; GERALD D. JOHNSON, in his capacity as City Council Member of the City of Wahoo; CARL WARFORD, in his capacity as City Council Member of the City of Wahoo; RYAN IDEAUS, in his capacity as City Council Member of the City of Wahoo; SHANE SWEET, in his capacity as City Council Member of the City of Wahoo; CHRIS RAPPL, in his capacity as City Council Member of the City of Wahoo; STUART KREJCI, in his capacity as City Council Member of the City of Wahoo; and PATRICK NAGLE, in his capacity as City Council Member of the City of Wahoo;

Defendants.

**8:23CV311**

**FINAL PROGRESSION ORDER  
(AMENDED)**

IT IS ORDERED that the parties' joint motion to amend the final progression order, [Filing No. 31](#), is granted. The unexpired deadlines in the final progression order, [Filing No. 13](#), are amended as follows:

- 1) The trial and pretrial conference will not be set at this time. The status conference to discuss case progression, the parties' interest in settlement, and the trial and pretrial conference settings currently set for August 20, 2024 is continued and will be held with the undersigned magistrate judge on **November 5, 2024 at 10:00 a.m.** by telephone. Counsel shall use the

conferencing instructions assigned to this case to participate in the conference.

- 2) The deadline for completing written discovery under Rules 33, 34, 36 and 45 of the Federal Rules of Civil Procedure is July 29, 2024. Motions to compel written discovery under Rules 33, 34, 36, and 45 must be filed by August 12, 2024.

**Note:** A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge to set a conference for discussing the parties' dispute.

- 3) The deadlines for complete expert disclosures<sup>1</sup> for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the defendant(s): May 1, 2024.

- 4) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is October 28, 2024.
- 5) The deadline for filing motions to dismiss and motions for summary judgment is December 20, 2024.
- 6) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is December 20, 2024.
- 7) All other provisions and deadlines in the Court's prior final progression order, [Filing No. 13](#), are unchanged.

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<sup>1</sup> While treating medical and mental health care providers are generally not considered "specially retained experts," not all their opinions relate to the care and treatment of a patient. Their opinion testimony is limited to what is stated within their treatment documentation. As to each such expert, any opinions which are not stated within that expert's treatment records and reports must be separately and timely disclosed.

Dated this 30th day of April, 2024.

BY THE COURT:

s/ Jacqueline M. DeLuca

United States Magistrate Judge